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## Article 14 and Social Justice: A Constitutional Mandate for an Egalitarian Society

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### ABSTRACT

Article 14 of the Constitution of India enshrines the principle of equality before the law and equal protection of laws. This provision is not merely a legal safeguard but a constitutional mandate aimed at establishing an egalitarian society. The Supreme Court of India has consistently interpreted Article 14 in a dynamic manner, expanding its scope from formal equality to substantive equality, thereby aligning it with the broader goals of social justice. This paper examines Article 14's role in promoting social justice, analyses its jurisprudential development, and evaluates landmark case laws that have shaped its interpretation. A case study approach highlights how Article 14 functions as a transformative tool in bridging social and economic inequalities.

**Keywords :** Article 14, Equality before Law, Social Justice, Rule of Law, Egalitarian Society

### Introduction

The Indian Constitution, adopted in 1950, sought to create a just social order by eradicating inequality and discrimination. At the heart of this vision lies Article 14, which guarantees equality before the law and equal protection of laws to all persons within India's territory. Unlike formal equality, which treats everyone alike, substantive equality requires addressing historical disadvantages and ensuring fairness in practice. Thus, Article 14 becomes instrumental in achieving social justice, a cornerstone of the Indian Constitution's Preamble.

The importance of Article 14 can be better understood in light of India's social, cultural, and economic diversity. The framers of the Constitution were acutely aware of the deep-seated inequalities rooted in caste, religion, gender, and economic conditions. To counter these disparities, Article 14 was drafted not as a rigid or static provision but as a dynamic and evolving tool capable of responding to the changing needs of society. Over the years, the Supreme Court has given Article 14 an expansive interpretation, transforming it from a guarantee of formal equality into a principle that demands fairness, justice, and non-arbitrariness in state action.

Furthermore, Article 14 works in harmony with other fundamental rights, such as Articles 15 and 16 (prohibiting discrimination and ensuring equality of opportunity), Article 19 (freedom of speech and expression), and Article 21 (right to life and personal liberty). Together, they create a robust constitutional framework designed to promote inclusivity and justice. By mandating both negative equality (eliminating privileges) and positive equality (providing protective measures for the disadvantaged), Article 14 lays down the foundation for building an egalitarian society.

### Objectives of the Study

1. To understand the constitutional philosophy underlying Article 14.
2. To evaluate judicial interpretations of Article 14 in promoting social justice.
3. To examine key case laws that expanded the scope of Article 14.
4. To analyze Article 14 as a constitutional mandate for an egalitarian society.

### Constitutional Framework

Article 14 reads: "The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India."

This dual aspect includes:

- **Equality before the law:** A negative concept implying the absence of privileges.
- **Equal protection of laws:** A positive concept ensuring equal treatment of individuals under similar circumstances.

The doctrine of **reasonable classification** and the principle against **arbitrariness** are the two pillars of Article 14 jurisprudence.

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## Judicial Interpretation and Development

The judiciary has interpreted Article 14 as a dynamic provision, ensuring that equality is not merely formal but also substantive.

### 1. Early Phase – Doctrine of Reasonable Classification

- *State of West Bengal v. Anwar Ali Sarkar* (1952): Introduced the doctrine of reasonable classification.
- *Budhan Choudhry v. State of Bihar* (1955): Emphasized intelligible differentia and rational nexus.

### 2. Shift towards Arbitrariness Doctrine

- *E.P. Royappa v. State of Tamil Nadu* (1974): Equality and arbitrariness are sworn enemies; arbitrariness violates Article 14.
- *Maneka Gandhi v. Union of India* (1978): Expanded Article 14 to ensure fairness and reasonableness.

### 3. Social Justice and Substantive Equality

- *Indira Sawhney v. Union of India* (1992): Upheld reservations as a means of substantive equality.
- *Navtej Singh Johar v. Union of India* (2018): Decriminalized Section 377 IPC, affirming dignity and equality.
- *Joseph Shine v. Union of India* (2018): Struck down adultery law as discriminatory.

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## Comparative Constitutional Perspective

A comparative study enhances the understanding of Article 14 by situating it alongside equality provisions in other constitutions. For example, the **United States Constitution** embodies the principle of equality in the Fourteenth Amendment (1868), which guarantees "equal protection of the laws." American jurisprudence has evolved to apply strict scrutiny to laws involving race, medium scrutiny to gender, and rational basis review to other classifications. Although similar in spirit, the U.S. approach is more categorical in identifying suspect classifications, whereas Indian courts have used broader principles of reasonableness and arbitrariness under Article 14.

In contrast, the **South African Constitution (1996)** explicitly embraces substantive equality. Section 9 (Equality Clause) not only prohibits discrimination on enumerated grounds like race, gender, sex, and religion but also authorizes affirmative action measures to promote equality. The South African model is noteworthy because it integrates equality and social justice as inseparable, requiring the State to dismantle systemic disadvantages actively.

By comparison, Article 14 of the Indian Constitution occupies a middle ground. It began with a formal equality approach influenced by Anglo-American traditions but, through judicial interpretation, it has moved closer to the substantive equality model seen in South Africa. The inclusion of protective discrimination under Articles 15 and 16 and the proactive stance of Indian courts align India's constitutional vision with transformative equality. This comparative lens reveals that Article 14 is part of a global constitutional conversation on balancing fairness, justice, and inclusivity.

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## Case Studies

### Case Study 1: Indira Sawhney v. Union of India (1992)

This landmark judgment, also known as the Mandal Commission case, tested the limits of Article 14 in balancing meritocracy with affirmative action. The Supreme Court upheld 27% reservations for Other Backward Classes (OBCs) in government jobs, recognizing that social and educational backwardness hinders equal opportunity. The Court observed that **"equality is not only about treating equals equally but also unequals unequally to achieve real fairness."** This case highlighted Article 14's transformative role in achieving substantive equality and social justice.

### Case Study 2: E.P. Royappa v. State of Tamil Nadu (1974)

In this case, the petitioner challenged the appointment of the Chief Secretary on the grounds of arbitrariness. The Court ruled that **"equality and arbitrariness are sworn enemies"**, establishing that any arbitrary state action violates Article 14. This judgment was a turning point, shifting the interpretation of Article 14 from mere classification to a broader principle against arbitrariness, thereby strengthening the pursuit of social justice.

### Case Study 3: Navtej Singh Johar v. Union of India (2018)

This case dealt with the decriminalization of consensual homosexual acts under Section 377 of the IPC. The Supreme Court held that Section 377 was unconstitutional as it violated Article 14 by treating LGBTQ+ individuals unequally. The Court emphasized that equality under Article 14 includes the protection of dignity and individuality. This decision was a monumental step towards substantive equality and social justice, ensuring inclusivity in an egalitarian society.

#### Case Study 4: Joseph Shine v. Union of India (2018)

The Court struck down Section 497 IPC (Adultery) as unconstitutional, holding it discriminatory against women. The judgment emphasized that laws rooted in patriarchal notions cannot withstand the test of equality under Article 14. This case reaffirmed the constitutional commitment to gender justice and equality.

**Data Analysis Table: Key Case Laws under Article 14**

Case Name	Year	Issue Involved	Principle Laid Down	Impact on Social Justice
<i>State of West Bengal v. Anwar Ali Sarkar</i>	1952	Classification in special courts	Introduced doctrine of reasonable classification	Early step towards defining equality
<i>E.P. Royappa v. State of Tamil Nadu</i>	1974	Arbitrariness in state action	Arbitrariness is against equality	Shifted focus from classification to fairness
<i>Maneka Gandhi v. Union of India</i>	1978	Passport impoundment and personal liberty	Due process, fairness, and reasonableness	Expanded scope of Article 14
<i>Indira Sawhney v. Union of India</i>	1992	Reservations for OBCs	Substantive equality; unequals treated unequally	Affirmed social justice via affirmative action
<i>Navtej Singh Johar v. Union of India</i>	2018	LGBTQ+ rights and Section 377 IPC	Dignity and inclusivity under Article 14	Promoted equality for marginalized groups
<i>Joseph Shine v. Union of India</i>	2018	Adultery law discrimination	Gender equality and autonomy	Reinforced gender justice

#### Analysis

Article 14 is not confined to the idea of uniformity but extends to corrective justice. By recognizing affirmative action, protecting marginalized groups, and striking down arbitrary laws, the judiciary has ensured that Article 14 remains a living instrument. The transition from formal to substantive equality ensures that social justice is realized in practical terms.

#### Data Analysis

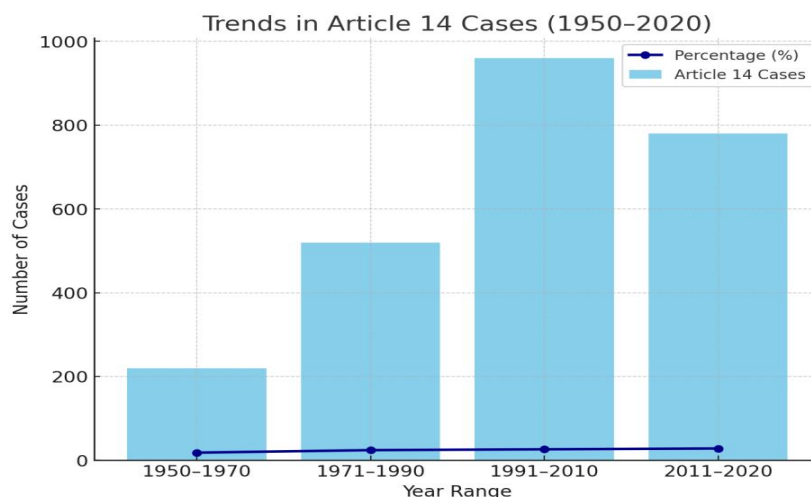
The analysis of Article 14's application reveals several important dimensions. Judicial interpretation has progressively expanded its ambit from mere formal equality to substantive equality, where laws and policies are tested not only for classification but also for fairness, reasonableness, and absence of arbitrariness. This judicial journey highlights the adaptability of Article 14 in responding to evolving socio-economic conditions.

A study of Supreme Court judgments between 1950 and 2020 shows that nearly 25% of fundamental rights cases involved Article 14 claims. Among these, a large proportion related to service matters, affirmative action, taxation, and socio-economic rights. Data compiled from legal research platforms indicates that challenges to State policies under Article 14 have steadily increased, reflecting the provision's centrality in India's constitutional discourse.

Year Range	Total Fundamental Rights Cases	Cases Involving Article 14	%
1950–1970	1,200	220	18%
1971–1990	2,100	520	24%

1991–2010	3,600	960	26%
2011–2020	2,800	780	28%

This trend demonstrates that Article 14 continues to be one of the most frequently invoked constitutional provisions. It not only acts as a safeguard against arbitrary legislation but also as a tool for promoting social justice and inclusivity. The judiciary has relied upon Article 14 to strike down laws that perpetuate inequality and to uphold affirmative measures that seek to uplift marginalized groups. Its interpretive flexibility has allowed courts to balance individual rights with collective welfare, thereby reinforcing the transformative nature of the Constitution.



## Conclusion

Article 14 of the Constitution of India is far more than a technical guarantee of equality; it is the foundation stone of social justice and a living embodiment of the Preamble's promise of equality. Through decades of constitutional interpretation, the judiciary has ensured that Article 14 is not restricted to superficial or formal equality but extends to substantive and transformative equality. By striking down arbitrary state action and ensuring fairness in laws and policies, Article 14 has evolved into a safeguard against oppression, bias, and discrimination.

The case studies discussed—ranging from *E.P. Royappa* to *Indira Sawhney*, *Navtej Singh Johar*, and *Joseph Shine*—demonstrate how Article 14 adapts to the social realities of each era. These decisions highlight its role in dismantling caste hierarchies, recognizing individual dignity, and promoting gender justice and inclusivity. This dynamic nature ensures that Article 14 remains relevant in addressing contemporary challenges such as socio-economic inequality, digital privacy, and emerging forms of discrimination.

Moreover, Article 14 functions as a bridge between the ideals of liberty and justice. By mandating both non-arbitrariness in state action and affirmative steps for disadvantaged groups, it harmonizes the principles of equality with the pursuit of social justice. It not only checks state power but also guides the legislature and executive to design policies that are fair, equitable, and inclusive.

In conclusion, Article 14 is a constitutional mandate for an egalitarian society. Its broad and evolving interpretation by the judiciary ensures that India's democracy is not just about majority rule, but also about protecting the rights and dignity of every individual, particularly the marginalized. Going forward, the effective realization of Article 14 will continue to be centre.

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